

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

: Civil Action No. 16-CV-01257

ALL FUNDS HELD IN ACCOUNT NUMBER
CH1408760000050335300 AT LOMBARD ODIER
DARIER HENTSCH & CIE BANK, SWITZERLAND,
ON BEHALF OF TAKILANT LIMITED, AND ANY
PROPERTY TRACEABLE THERETO, et al. :

Defendants *in rem*. :

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PARTIAL DEFAULT JUDGMENT AND ORDER OF FORFEITURE

WHEREAS, on February 18, 2016, the United States commenced this action for forfeiture of the Defendants *in rem* (the “Defendant Property”) by filing a Verified Complaint for Forfeiture *In Rem* (the “Verified Complaint”);

WHEREAS, the Defendant Property is identified in the Verified Complaint as:

- a. All funds held in account number CH1408760000050335300 at Lombard Odier Darier Hentsch & Cie Bank, Switzerland, on behalf of Takilant Limited, and any property traceable thereto;
- b. All funds up to an amount totaling \$198,919,748.00 held in account number CH3408760000050982900 at Lombard Odier Darier Hentsch & Cie Bank, Switzerland, on behalf of Tozian Limited, and any property traceable thereto; and
- c. All funds up to an amount totaling \$3,500,000.00 held in account number CH2308657007007159821 at Union Bancaire Privee, Switzerland, on behalf of Tozian Limited, and any property traceable thereto.

WHEREAS, beginning on February 19, 2016, and for thirty (30) consecutive days thereafter, pursuant to Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (the “Supplemental Rules”), notice of the Verified Complaint was

posted on the official government internet site www.forfeiture.gov and provided that any party claiming a legal interest in the Defendant Property must file a verified Claim within sixty (60) days. Proof of such publication was filed with the Clerk of Court on April 20, 2016;

WHEREAS, pursuant to Rule G(4)(b)(i) of the Supplemental Rules, a Notice of Complaint for Forfeiture, the Verified Complaint, and other pertinent documents were delivered to last known addresses and/or legal representatives for Gulnara Karimova, Bekhzod Akhmedov, Alisher Ergashev, Rustam Madumarov, Gayane Avakyan, Sodikjon Sokhibjonov, Shokrukh Sabirov, the entities Tozian and Takilant Limited, and the Republic of Uzbekistan;

WHEREAS, the foregoing are the only individuals and entities known by the government to have a potential interest in the Defendant Property;

WHEREAS, Gulnara Karimova, Bekhzod Akhmedov, Alisher Ergashev, Rustam Madumarov, Gayane Avakyan, Sodikjon Sokhibjonov, Shokrukh Sabirov, and the entities Tozian and Takilant Limited have failed to file any claims or answers in this action, and the statutory time periods for them to do so, as set forth in Supplemental Rule G(5)(a)(ii) have expired;

WHEREAS, the Republic of Uzbekistan, which filed a timely claim on April 27, 2016, is the only other person or entity known by the government to have a potential interest in the Defendant Property;

WHEREAS, the United States entered into a stipulated motion with counsel for the Republic of Uzbekistan (“Uzbekistan”), stipulating that this action shall be stayed until July 31, 2016 as to Uzbekistan, in order to permit the United States and Uzbekistan to discuss a possible out-of-court resolution;

NOW THEREFORE, on the motion of Marie Dalton, Trial Attorney for the United States Department of Justice, Asset Forfeiture and Money Laundering Section;

IT IS HEREBY ORDERED that:

1. Plaintiff United States of America shall have judgment by default against Gulnara Karimova, Bekhzod Akhmedov, Alisher Ergashev, Rustam Madumarov, Gayane Avakyan, Sodikjon Sokhibjonov, Shokrukh Sabirov, and the entities Tozian and Takilant Limited, and all potential claimants, other than the Republic of Uzbekistan, who have not otherwise filed a claim to the Defendant Property.

2. Consistent with this Order, Gulnara Karimova, Bekhzod Akhmedov, Alisher Ergashev, Rustam Madumarov, Gayane Avakyan, Sodikjon Sokhibjonov, Shokrukh Sabirov, and the entities Tozian and Takilant Limited, and all potential claimants, other than the Republic of Uzbekistan, who have not otherwise filed a claim to the Defendant Property are time-barred from contesting the forfeiture of the Defendant Property.

3. Nothing in this order shall be construed to be inconsistent with or otherwise limit the stipulated motion filed by counsel for the Republic of Uzbekistan and the United States on April 27, 2016.

4. This Order is and shall be without prejudice to and shall not affect the rights, claims, interests, or arguments, including but not limited to jurisdictional arguments, that the Republic of Uzbekistan may have, and this Order shall not in any respect be deemed a judgment against the Republic of Uzbekistan.

Dated: New York, New York
_____, 2016

SO ORDERED.

JUDGE ANDREW L. CARTER, JR.
DISTRICT COURT JUDGE
UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK